

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE: Dennis I. Henderson**

**Debtor(s).**

)  
) **Case No. 23-10129-JCM**  
)  
) **Chapter 13**  
)  
**X** Related Document No. 23

**STIPULATED ORDER MODIFYING PLAN**

**WHEREAS**, this matter is being presented to the Court regarding

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:***

- ☒ a motion to dismiss case or certificate of default requesting dismissal
- ☐ a plan modification sought by: \_\_\_\_\_
- ☐ a motion to lift stay  
as to creditor \_\_\_\_\_
- ☐ Other: \_\_\_\_\_

**WHEREAS**, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

**IT IS HEREBY ORDERED** that the

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Chapter 13 Plan dated 3/30/23
- ☐ Amended Chapter 13 Plan dated \_\_\_\_\_

is modified as follows:

***[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]***

- ☒ Debtor(s) Plan payments shall be changed from \$2455 to \$2826 per month, effective 5/25; and/or the Plan term shall be changed from     months to     months.

- ☐ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve \_\_\_\_\_ on or before \_\_\_\_\_.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as \_\_\_\_\_ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other:
- Trustee's Certificate of Default (at Doc 68) is treated as resolved by this Order.
  - City of Erie taxes provided in the plan are to be paid to Erie Co TCB at the applicable statutory interest
  - Deutsche Bank CL#7 post petition fee notice in the amount of \$683.50 is to be paid unless objections filed
  - *Debtor(s) are to fund the plan by TFS [notwithstanding anything to the contrary in the plan] which is to be implemented within 14 days of the date of this Order (if not previously implemented). Debtor(s) are responsible for ensuring that the full monthly plan payment is made each month regardless of the manner in which payments are intended to be made. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods (wage attachment, TFS, or ACH).*
  - *To the extent the Plan is confirmed pre-bar date(s) or the completion of pending or contemplated litigation (including §506/522f action and objections*

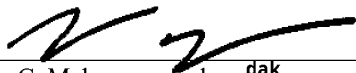
*to claims) or Loss Mitigation (LMP), or any other plan contingencies including sales, creditors will be paid per plan in the plan amount (or as superseded by this Confirmation Order or other Order(s) of Court) notwithstanding a claim in a greater amount or priority. Debtor shall review all proofs of claims as filed and to take such action(s), including modification of the Plan or this Confirmation Order, as is necessary to address claim discrepancies and to address other subsequent events that will affect the adequacy of plan funding (including the outcome of contemplated or pending litigation, LMP, sale process, etc.) The need to address plan funding deficiency includes increasing the plan payment as necessary to fund 100% of timely filed and allowed non-specially classified unsecured creditors in 100% plan cases.*

**IT IS FURTHER ORDERED** that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a de novo hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

**IT IS FURTHER ORDERED** that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

*[Remainder of Page Intentionally Left Blank]*

SO ORDERED, this 2nd day of May, 2025

  
\_\_\_\_\_  
John C. Melaragno, Judge **dak**  
United States Bankruptcy Court

SIGNED  
5/2/25 10:01 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPa

Stipulated by:

/s/ Brian C. Thompson, Esquire  
Brian C. Thompson  
PA ID: 91197  
Thompson Law Group, P.C.  
301 Smith Drive, Suite 6  
Cranberry Township, PA 16066  
(724) 799-8404 Telephone  
(724) 799-8409 Facsimile  
[bthompson@thompsonattorney.com](mailto:bthompson@thompsonattorney.com)

Stipulated by:

/s/James C. Warmbrodt, Esquire  
James C. Warmbrodt  
PA ID: 42524  
Attorney for Chapter 13 Trustee  
U.S. Steel Tower, Suite 3250  
600 Grant Street  
Pittsburgh, PA 15219  
412-471-5566  
[jwarmbrodt@chapter13trusteewdpa.com](mailto:jwarmbrodt@chapter13trusteewdpa.com)

cc: All Parties in Interest to be served by Clerk

In re:  
Dennis I. Henderson, Sr.  
Debtor

Case No. 23-10129-JCM  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1

User: auto

Page 1 of 2

Date Rcvd: May 02, 2025

Form ID: pdf900

Total Noticed: 18

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 04, 2025:

Recip ID	Recipient Name and Address
db	+ Dennis I. Henderson, Sr., 532 East 25th Street, Erie, PA 16503-2062
cr	+ The Bank of New York Mellon, the successor to JPMo, Padgett law Group, 6267 Old Water Oak Road, Suite 203, Tallahassee, FL 32312-3858
15581740	+ City of Erie Treasurer's Office, 626 State Street, Room 105, Erie, PA 16501-1146

TOTAL: 3

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/PDF: resurgentbknotifications@resurgent.com	May 03 2025 00:08:55	LVNV Funding LLC, c/o Resurgent Capital Services, P.O. Box 10587, Greenville, SC 29603-0587
15581739	Email/Text: BKBCNMAIL@carringtonms.com	May 03 2025 00:04:00	Carrington Mortgage Services, Attn: Bankruptcy, 1600 South Douglass Road, Stes 110 & 200, Anaheim, CA 92806
15581741	+ Email/Text: bncnotifications@phea.org	May 03 2025 00:04:00	Cornerstone/American Education Services, Attn: Bankruptcy, Po Box 2461, Harrisburg, PA 17105-2461
15599512	+ Email/Text: BKBCNMAIL@carringtonms.com	May 03 2025 00:04:00	Deutsche Bank National Trust Company, at. el, c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road, Anaheim, CA 92806-5948
15581742	^ MEBN	May 02 2025 23:58:55	KML Law Group, PC, Mellon Independence Center, Ste 5000, 701 Market Street, Philadelphia, PA 19106-1538
15583579	Email/PDF: resurgentbknotifications@resurgent.com	May 03 2025 00:08:27	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15588688	Email/PDF: resurgentbknotifications@resurgent.com	May 03 2025 00:08:33	LVNV Funding, LLC c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15582948	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	May 03 2025 00:04:00	PA Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15604405	Email/Text: Bankruptcy.Notices@pnc.com	May 03 2025 00:04:00	PNC Bank, National Association, 3232 Newmark Drive, Miamisburg, OH 45342
15581743	Email/Text: Bankruptcy.Notices@pnc.com	May 03 2025 00:04:00	Pnc Mortgage, Attn: Bankruptcy, Po Box 8819, Dayton, OH 45401
15581744	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 03 2025 00:08:48	Portfolio Recovery Associates, LLC, Attn: Bankruptcy, 120 Corporate Boulevard, Norfolk, VA 23502
15597487	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 03 2025 00:08:26	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15581745	+ Email/Text: mtgbk@shellpointmtg.com		

District/off: 0315-1

User: auto

Page 2 of 2

Date Rcvd: May 02, 2025

Form ID: pdf900

Total Noticed: 18

15603324	Email/Text: mtgbk@shellpointmtg.com	May 03 2025 00:04:00	Shellpoint Mortgage Servicing, Attn: Bankruptcy, Po Box 10826, Greenville, SC 29603-0826
15603855	Email/Text: mtgbk@shellpointmtg.com	May 03 2025 00:04:00	The Bank of New York Mellon,, c/o NewRez LLC d/b/a Shellpoint Mortgage, Servicing, PO Box 10826, Greenville, SC 29603-0826
		May 03 2025 00:04:00	The Bank of New York Mellon, as Trustee, c/o, NewRez LLC dba Shellpoint Mortgage Servi, PO Box 10826, Greenville SC 29603-0826

TOTAL: 15

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Deutsche Bank National Trust Company, as Indenture
cr		PNC BANK, NATIONAL ASSOCIATION

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 04, 2025

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 2, 2025 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION brian+ecf@briannicholas.com, mccallaecf@ecf.courtdrive.com
Brian Nicholas	on behalf of Creditor Deutsche Bank National Trust Company as Indenture Trustee for New Century Home Equity Loan Trust 2003-6 brian+ecf@briannicholas.com, mccallaecf@ecf.courtdrive.com
Brian C. Thompson	on behalf of Debtor Dennis I. Henderson Sr. bthompson@ThompsonAttorney.com, blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;mgillespie@thompsonattorney.com;kfinke@thompsonattorney.com;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Denise Carlon	on behalf of Creditor Deutsche Bank National Trust Company as Indenture Trustee for New Century Home Equity Loan Trust 2003-6 dcarlon@kmlawgroup.com
Joshua I. Goldman	on behalf of Creditor The Bank of New York Mellon the successor to JPMorgan Chase Bank, as Trustee for CIT Home Equity Loan Trust 2002-2 josh.goldman@padgettllawgroup.com, bkecf@padgettllawgroup.com;josh.goldman@ecf.CourtDrive.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 7